

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 9-15 are pending. Claims 9, 11 and 13 are independent. Claims 9, 11-13 and 15 are hereby amended. Support for this amendment is provided throughout the Specification as originally filed and specifically at page 7, paragraph [0031]. No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claim 11 is hereby amended, thereby obviating the objections.

Claim 12 is hereby amended, thereby obviating the rejections under 35 USC §101.

Claim 15 is hereby amended, thereby obviating the rejections under 35 USC §112.

Applicants submit herewith a Substitute Specification, thereby obviating the objections to the Specification.

## II. REJECTIONS UNDER 35 U.S.C. §102(b) and §103(a)

Claims 9-11 and 13 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. 2001/0041021 to Boyle (hereinafter, merely “Boyle”).

Claim 12 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Boyle in view of Applecare Document: 122014.

Claim 14 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Boyle in view of US 2004/0004737 to Kahn (hereinafter, merely “Kahn”).

Claims 15 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Boyle in view of US 2003/0076365 to Sesek (hereinafter, merely “Sesek”).

## III. RESPONSE TO REJECTIONS

Claim 9 recites, *inter alia*:

**“...wherein at least one of the image data and audio data to be reproduced is selected by a user.”** (Emphasis added)

As understood by Applicants, Boyle relates to synchronization of image data between a handheld device and a computer.

Applicants respectfully submit that Boyle does not teach or suggest the above identified features of claim 9. Specifically, Boyle does not teach or suggest at least one of the image data and audio data to be reproduced is selected by a user, as recited in claim 9.

Specifically, the Office Action relies on Boyle to provide a description of “HotSync” manager to provide seamless synchronization between the PDA and the PC. However, Applicants submit that in the Boyle system, the sync manager 230 synchronizes the PDA and the PC without user interaction. As disclosed in Boyle, in step 714, the image conduit

310 determines whether the image exists in the computing device 110. If the image does not exist in the computer memory 220, then in step 718 the imaging conduit 310 transfers the image and any corresponding text annotation to the computing device 110 (See, Boyle [0036]-[0038] and Fig. 7). Thus, the “HotSync” manager will synchronize all the data in the computer device 110 and handheld electronic device 120, and the users can not select the files that they want to reproduce and remove the files that they do not want to reproduce, i.e., the reproduced file is not user-selective. On the contrary, in the present invention, as one file is selected by the user, CPU 2 accesses the memory device and reproduces the file, (See Fig. 6 Step 603 and page 10, line 14-22) i.e., the image data and audio data to be reproduced are selected by the users.

Therefore, Applicants respectfully submit that Boyle fails to teach or suggest at least one of the image data and audio data to be reproduced is selected by a user, as recited in claim 9.

Therefore, Applicants respectfully submit that claim 9 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 9, independent claims 11 and 13 are patentable.

#### IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance and requests early passage to issue of the present application.

Respectfully submitted,

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